

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES L. SHUMAKER,

Defendant.

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8:05CR283

ORDER

Before the court is defendant's Motion to Continue Plea [24] due to the fact that defense counsel is ill. The government has no objection to the continuance. Good cause being shown, the motion will be granted and the Change of Plea hearing will be continued.

IT IS ORDERED:

1. That the defendant's Motion to Continue Plea [24] is granted; and
2. That the Change of Plea hearing is continued to **January 3, 2006** at **3:00 p.m.** before Magistrate Judge F.A. Gossett, Courtroom No. 6, Second Floor, Roman L. Hruska U.S. Courthouse, 111 So. 18th Plaza, Omaha, Nebraska.

For this defendant, the time between **December 28, 2005** and the **hearing** on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).

Since this is a criminal case, the defendant must be present, unless excused by the Court.

DATED this 29th day of December, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge